

**FILED**

**APR 23 2010**

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN MATTHEW WHITEHEAD,  
a/k/a "John White,"

Defendant.

No. CR-10-00299-DLJ (DMR)

DETENTION ORDER

I. DETENTION ORDER

Defendant Jonathan Matthew Whitehead is charged in a two-count indictment with possession with intent to distribute methamphetamine (in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(C)), and possession with intent to distribute, and distribution of, methamphetamine (in violation of 21 U.S.C. §§ 841 (a)(1) and (b)(1)(B)(viii)). On April 20, 2010, the United States moved for Mr. Whitehead's detention pursuant to 18 U.S.C. § 3142(f). Pretrial Services prepared a full bail study at the request of Mr. Whitehead. On April 23, 2010, Mr. Whitehead waived his right to proffer information at this time. *See* 18 U.S.C. § 3142(f) (a defendant has the

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US Marshal

1 right at a Section 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses,  
2 to cross-examine adverse witnesses, and to present information by proffer or otherwise). Mr.  
3 Whitehead expressly retained his right to raise any additional relevant information at a later  
4 hearing.

5 The Government is entitled to a rebuttable presumption in this case that no condition or  
6 combination of conditions in section 3142(c) will reasonably assure the defendant's appearance  
7 in this case or the safety of any other person or the community. *See* 18 U.S.C. § 3142(e)(3)(A).  
8 Mr. Whitehead did not offer information to rebut the presumption.

9 II. CONCLUSION

10 The Court detains Mr. Whitehead. Because Mr. Whitehead waived his right to present  
11 information under 18 U.S.C. § 3142(f) without prejudice to raising relevant information at a later  
12 hearing, the Court orders that the hearing may be reopened at the request of Mr. Whitehead at  
13 any future time. Mr. Whitehead shall remain committed to the custody of the Attorney General.

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15 IT IS SO ORDERED.

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18 DATED: April 23, 2010

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DONNA M. RYU  
United States Magistrate Judge